

CUOMO LLC

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February 13, 2023

By ECF

Honorable Loretta A. Preska
United States District Court
Southern District of New York
500 Pearl Street
New York, New York 10007

Re: Harris v. The State of New York, et al, 20 CV 08827(LAP)

Dear Judge Preska:

I represent defendant Lawrence Schantz in the above captioned action. I write to respectfully request an adjournment of the oral argument on the defendants' motions to dismiss the amended complaint. The current date set by the Court is February 21, 2023. I have been in trial in Putnam County in the matter of People v Andrew Krivak since January 9th. The trial is scheduled to go through the week of February 20. Accordingly, I anticipate being engaged in trial on the 21st of February.

I have conferred with all counsel, and we are all available March 22-24 or March 27-31. I have received no opposition to the adjournment. It is the first request for an adjournment of the oral argument date. I ask that the Court set an oral argument date within the above time frame, and which also suits the Court's schedule.

Thank you for your consideration in this matter.

Respectfully submitted,

s/Oscar Michelen

Oscar Michelen

SO ORDERED

Loretta A. Preska
LORETTA A. PRESKA
UNITED STATES DISTRICT JUDGE

cc: All defense counsel by ECF

2/14/23

*Oral argument is adjourned
to March 22 at 10:00 am*